

### **REMARKS**

Claims 1-20 are pending in this application after this amendment. Claims 1 and 17 are independent. In light of the amendments and remarks contained herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1, 4, 6-9, and 13-18 under 35 U.S.C. § 103(a) as being unpatentable over *Usami* (USP 5,748,342) in view of Inoue et al. (USP 5,844,542); rejected claims 2, 3, 10 and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Usami* and *Inoue et al.* and further in view of *Lau-Kee et al.* (USP 5,631,974); rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over *Usami* and *Inoue* and further in view of *Cookingham et al.* (USP 6,658,139); and rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over *Usami* and *Inoue* and further in view of *Campo* (USP 5,526,285). Applicant respectfully traverses these rejections.

By this Amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

### **Claims Rejections – 35 U.S.C. § 103 – *Usami/Inoue et al.***

By this amendment, Applicants have amended claim 1 to recite, *inter alia*, an image processing apparatus including “a memory for storing at least one image; a registration unit for registering said at least one image in the memory as a reference image; and a first adjustment

unit for adjusting said image processing conditions in said image processing unit by comparing said finished-state-predicting image with said at least one selected reference image displayed on said display in such a manner that an image processing result of said finished-state-predicting image using adjusted image processing conditions matches to said at least one selected reference image.

In support of the Examiner's rejection of claim 1, as further clarified in the Advisory Action mailed May 4, 2006, the Examiner asserts that *Usami* discloses a reference image citing to images 71 and/or 72. The Examiner further asserts that *Usami* discloses a finished-state-predicting image citing to Figs. 19 and 20, col. 4, lines 16-23 and 54-58 and col. 5, lines 19-28. The purported reference image 71 and/or 72 relied upon by the Examiner is insufficient to teach or suggest the reference image as claimed. These images, which have not been subjected to image processing cannot teach or suggest the reference image as claimed. As there has been no image processing on images 71 and/or 72, image processing conditions cannot be used to match the finished-state-predicting image to the reference image, as required by the claims.

As such, *Usami* fails to teach or suggest a first adjustment unit for adjusting the image processing conditions in such a manner that an image processing result of said finished-state-predicting image using adjusted image processing conditions matches to said at least one selected reference image. As Inoue et al. fails to cure the deficiencies of the teachings of *Usami*, assuming these references are combinable, which Applicants do not admit, claim 1, as amended, is not obvious over the references as recited by the Examiner. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-16 and 18-19 are allowable for the reasons set forth above with regard to claim 1, at least based upon their dependency on claim 1. It is further respectfully submitted that claim 17 includes elements similar to those discussed above with regard to claim 1 and thus claim 17 is allowable for the reasons set forth above with regard to claim 1.

### **Conclusion**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

#40,435

By

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant